IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

BROADCOM CORPORATION, and ATHEROS	Case No. 6:09-cv-513 (LED)
COMMUNICATIONS INC	

Plaintiffs,

Jury Trial Demanded

v.

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION,

Defendant.

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION.

Case No. 6:09-cv-399 (LED)

Plaintiff,

Jury Trial Demanded

v.

LENOVO (UNITED STATES) INC., LENOVO GROUP LIMITED, and LENOVO HOLDING COMPANY, INC.,

Defendants.

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION,

Case No. 6:09-cv-400 (LED)

Plaintiff,

Jury Trial Demanded

v.

SONY CORPORATION et al.,

Defendants.

COMMONWEALTH SCIENTIFIC AND
INDUSTRIAL RESEARCH ORGANISATION

Case No. 6:09-cv-401 (LED)

Plaintiff,

Jury Trial Demanded

v.

ACER INC., ACER AMERICA CORPORATION, ACER AMERICA HOLDING COMPANY, BOARDWALK CAPITAL HOLDINGS LTD., and GATEWAY INC.

Defendants.

Case No. 6:10-cv-00065(LED)

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH

ORGANISATION,

Plaintiff/Counterclaim-Defendant,

v.

T-Mobile USA, Inc.,

Defendant/Counterclaim-Plaintiff.

Jury Demanded

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION,

Case No. 6:10-cv-00066(LED)

Plaintiff,

Jury Demanded

v.

CELLCO PARTNERSHIP d/b/a/ VERIZON WIRELESS,

Defendant.

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION,

Plaintiff.

Jury Demanded

Case No. 6:10-cv-00067(LED)

v.

AT&T INC., AT&T MOBILITY LLC, F/K/A/ CINGULAR WIRELESS LLC and AT&T WI-FI SERVICES, F/K/A WAYPORT, INC.

Defendants.

PLAINTIFF'S AND DEFENDANTS' JOINT MOTION CONCERNING DEPOSITIONS

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

All parties in the above-captioned and related cases have reached an agreement with regard to depositions. This agreement is reflected in the attached proposed Order Concerning Depositions. The agreements reflected in the proposed Order will facilitate discovery in these related cases.

WHEREFORE, THE ABOVE PREMISES CONSIDERED, the parties respectfully request that this Joint Motion be granted and the proposed Order be entered.

Date: March 30, 2011 Respectfully submitted,

POTTER MINTON **A Professional Corporation**

By: /s/Michael E. Jones

Michael E. Jones

Texas State Bar No. 10929400

110 N. College Ave.

Suite 500 Plaza Tower

Tyler, Texas 75702

Telephone: 903.597.8311

Fax: 903.593.0846

Email: mikejones@potterminton.com Attorneys for Declaratory Judgment Plaintiffs

BROADCOM CORPORATION and ATHEROS COMMUNICATIONS, INC.

Robert A. Van Nest CA State Bar No. 84065 (admitted pro hac vice)

Christa M. Anderson CA State Bar No. 184325 (admitted pro hac vice)

KEKER & VAN NEST, LLP 710 Sansome St. San Francisco, CA 94111 Telephone: 415.391.5400

Fax: 415.397.7188

Email: rvannest@kvn.com canderson@kvn.com

Attorneys for Declaratory Judgment Plaintiff BROADCOM CORPORATION

Scott D. Baker CA State Bar No. 84923 (admitted pro hac vice)

REED SMITH LLP 101 2nd St Ste 1800 San Francisco, CA 94105 Telephone: 415.543.8700 Fax: 415.391.8269

Email: sbaker@reedsmith.com

Attorneys for Declaratory Judgment Plaintiff ATHEROS COMMUNICATIONS, INC.

Date: March 30, 2011 Respectfully submitted,

By: /s/ Harry L. Gillam,

Harry L. Gillam, Jr. State Bar No. 07921800

Email: gil@gillamsmithlaw.com

GILLAM & SMITH, LLP 303 South Washington Avenue

Marshall, TX 75670 Telephone: (903) 934-8450 Facsimile: (903) 934-9257

Alex V. Chachkes CA State Bar No. 183918 Email: achachkes@orrick.com ORRICK, HERRINGTON & SUTCLIFFE LLP 666 Fifth Avenue New York, NY 10103

Telephone: (212) 506-5000 Facsimile: (212) 506-5151

Chris R. Ottenweller
(admitted pro hac vice)
CA State Bar No. 73649
Email: cottenweller@orrick.com
Stacy B. Margolies
(admitted pro hac vice)
CA State Bar No. 202360
Email: smargolies@orrick.com
ORRICK, HERRINGTON &
SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94025
Telephone: (650) 614-7400

Attorneys for Defendants ACER INC., ACER AMERICA CORPORATION, and GATEWAY, INC.

Facsimile: (650) 614-7401

Date: March 30, 2011

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Fred I. Williams

Fred I. Williams (Lead Attorney)
State Bar No. 00794855
fwilliams@akingump.com
Akin Gump Strauss Hauer & Feld LLP
300 West 6th Street, Suite 2100
Austin, Texas 78701

Telephone: 512.499.6218 Facsimile: 512.499.6290

Eric J. Klein State Bar No. 24041258 eklein@akingump.com Akin Gump Strauss Hauer & Feld LLP 1700 Pacific Avenue, Suite 4100 Dallas, Texas 75201 Telephone: 214.969.2751

Neal K. Feivelson (admitted pro hac vice) New York State Bar No. 2828283 nfeivelson@akingump.com AKIN GUMP STRAUSS HAUER & FELD LLP

One Bryant Park New York, NY 10026 Telephone: 212.872.1000 Facsimile: 212.872.1002

Facsimile: 214.969.4343

Eric H. Findlay
State Bar No. 00789886
efindlay@findlaycraft.com
Brian Craft
State Bar No. 04972020
bcraft@findlaycraft.com
Findlay Craft, LLP
6760 Old Jacksonville Hwy, Suite 101

Tyler, TX 75703 Telephone: 903.534.1100 Facsimile: 903.534.1137

Attorneys for Defendants LENOVO (UNITED STATES) INC., LENOVO GROUP LIMITED AND LENOVO HOLDING COMPANY, INC. Dated: March 30, 2011 Respectfully submitted,

WHITE & CASE LLP

/s/ Warren S. Heit

Warren S. Heit (Lead Attorney) CA State Bar No. 164658 Email: wheit@whitecase.com WHITE & CASE LLP 3000 El Camino Real 5 Palo Alto Square, 9th Floor Palo Alto, CA 94306 Telephone: (650) 213-0300

Facsimile: (650) 213-8158

Andy Tindel
State Bar No. 20054500
Email: atindel@andytindel.com
PROVOST UMPHREY LAW FIRM, LLP
112 East Line Street, Suite 304
Tyler, Texas 75702
Telephone: (903) 596-0900

Facsimile: (903) 596-0909
Attorneys for Defendants,

SONY CORPORATION
SONY CORPORATION OF AMERICA
SONY ELECTRONICS INC.

Date: March 30, 2011 Respectfully submitted,

By: /s/Roger Fulghum

Bryant C. Boren, Jr. Lead Attorney State of Texas Bar No. 02664100 Kevin E. Cadwell State of Texas Bar No. 24036304 BAKER BOTTS LLP 620 Hansen Way Palo Alto, CA 94304

Telephone: 650.739.7500 Facsimile: 650.739.7699

bryant.c.boren@bakerbotts.com kevin.cadwell@bakerbotts.com

Roger Fulghum
State of Texas Bar No. 00790724
William P. Rothwell
State of Texas Bar No. 24066005
BAKER BOTTS LLP
One Shell Plaza
910 Louisiana
Houston, Texas 77002
Telephone: 713.229.1234
Facsimile: 713.229.1522
roger.fulghum@bakerbotts.com

william.rothwell@bakerbotts.com

Melvin R. Wilcox, III Texas State Bar No. 21454800 Yarbrough Wilcox, PLLC 100 E. Ferguson St., Ste 1015 Tyler Texas 75702 Telephone: 903.595.1133 Facsimile: 903.595.0191 mrw@yw-lawfirm.com

ATTORNEYS FOR DEFENDANTS AT&T INC., AT&T MOBILITY LLC, AND WAYPORT, INC. D/B/A AT&T WI-FI SERVICES Date: March 30, 2011

Respectfully submitted,
By: __/s/ Kevin P. Anderson, with
permission by Michael E. Jones
Michael E. Jones
Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College, Suite 500
Tyler, TX 75702
Tel: (903) 597-8311

Tel: (903) 597-8311 Fax: (903) 593-0846

Kevin P. Anderson (pro hac vice) kanderson@wileyrein.com
Brian H. Pandya (pro hac vice)
bpandya@wileyrein.com
WILEY REIN LLP
1776 K Street, NW
Washington, D.C. 20006

Tel.: 202.719.700 Fax: 202.719.7049

ATTORNEYS FOR DEFENDANT CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS Date: March 30, 2011

Respectfully submitted,
By: /s/ Matthew S Yungwirth, with
permission by Michael E. Jones
L. Norwood Jameson
Matthew S. Yungwirth
1180 West Peachtree Street, Suite 700
Atlanta, GA 30309-3448
Telephone: 404.253.6900

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
John F. Bufe
State Bar No. 03316930
johnbufe@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College, Suite 500
Tyler, TX 75702

Tel: (903) 597-8311 Fax: (903) 593-0846

ATTORNEYS FOR DEFENDANT T-MOBILE USA, INC.

Dated: March 30, 2011 Respectfully Submitted,

By: /s/ Elizabeth L. LeRieux, with permsion by

Michael E. Jones

S. Calvin Capshaw

State Bar No. 03783900

ccapshaw@capshawlaw.com

Elizabeth L. DeRieux

State Bar No. 05770585

ederieux@capshawlaw.com

D. Jeffrey Rambin

State Bar No. 00791478

jrambin@capshawlaw.com

John E. Lord

CA State Bar No. 216111

ilord@capshawlaw.com

Capshaw DeRieux, L.L.P.

1127 Judson Road, Suite 220

Longview, Texas 75601

Telephone: (903) 236-9800

Facsimile: (903) 236-8787

Frederick G. Michaud (DC Bar No. 177675)

Capshaw DeRieux LLP – Washington

1801 Florida Avenue, NW

Washington, DC 20009

Telephone: (202) 588-1960

Facsimile: (202) 588-1961

James M. Wagstaffe (CA Bar No. 95535)

Michael Ng (CA Bar No. 237915)

Maria V. Radwick (CA Bar No. 253780)

KERR & WAGSTAFFE LLP

100 Spear Street, Suite 1800

San Francisco, CA 94105

Telephone: (415) 371-8500

Facsimile: (415) 371-0500

E-mail: wagstaff@kerrwagstaffe.com

E-mail: mng@kerrwagstaffe.com

Email: radwick@kerrwagstaffe.com

Gary H. Ritchey (CA Bar No. 136209)

Jennifer S. Coleman (CA Bar No. 213210)

Hopkins & Carley

P.O. Box 1469

70 S. First Street

San Jose, CA 95113

Telephone: (408) 286-9800

Facsimile: (650) 326-2422

Email: gritchey@hopkinscarley.com

Email: jcoleman@hopkinscarley.com

Attorneys for Plaintiff,

COMMONWEALTH SCIENTIFIC AND

INDUSTRIAL RESEARCH ORGANISATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have

consented to electronic service are being served with a copy of this document via the Court's

CM/ECF system per Local Rule CV-5(a)(3) on March 30, 2011. Any other counsel of record

will be served by First Class U.S. mail on this same date.

<u>/s/ William P. Rothwell</u>

William P. Rothwell

13